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6 Attorneys for Plaintiff  
United States of America  
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IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 MIGUEL MAGANA MARTINEZ,

15 Defendant.

CASE NO. 5:23-MJ-00021-CDB

STIPULATION TO CONTINUE PRELIMINARY  
HEARING AND EXCLUDE TIME

18 The parties stipulate as follows:

19 1. The complaint was filed in this district on June 1, 2023, and the defendant made his  
initial appearance on June 9, 2023. The Court scheduled a preliminary hearing for June 23, 2023.

20 2. The parties agree to continue the preliminary hearing until August 25, 2023, at 2:00 p.m.,  
before the duty Magistrate Judge.

21 3. The parties agree that good cause exists for the extension because the extension is  
required to allow the defense reasonable time for preparation and for the government's continuing  
investigation of the case. The parties also agree that the interests of justice served by granting this  
continuance outweigh the best interests of the public and the defendant in a speedy trial.

22 Finally, the parties agree that the period from June 15, 2023, through August 25, 2023, should be  
excluded. Fed. R. Crim. P. 5.1(d); 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(iv).

1 IT IS SO STIPULATED.  
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Dated: June 15, 2023

PHILLIP A. TALBERT  
United States Attorney

5 */s/ Joseph Barton*  
6 Joseph Barton  
7 Assistant United States Attorney  
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Dated: June 15, 2023

5 */s/ Alekxia Torres-Stallings*  
6 Alekxia Torres-Stallings  
7 Counsel for Miguel Martinez  
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8 IN THE UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.  
13

MIGUEL MAGANA MARTINEZ,

14 Defendant.  
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CASE NO. 5:23-MJ-00021-CDB

ORDER

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18 The Court has read and considered the parties' stipulation to continue the preliminary hearing  
19 and exclude time. The Court finds there is good cause for the continuance so as to allow the defense  
20 reasonable time for preparation and for the government's continuing investigation of the case. The  
21 Court also finds that the interests of justice served by granting the continuance outweigh the interests of  
22 the public and the defendant in a speedy trial. Fed. R. Crim. P. 5.1(d); 18 U.S.C. § 3161(h)(7)(A) and  
23 (h)(7)(B)(iv).

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1 Therefore, for good cause shown:

2 1. The preliminary hearing is continued from June 23, 2023, until **August 25, 2023, at 2:00**

3 **p.m. before Magistrate Judge Erica P. Grosjean**, and the defendant shall appear at that time before  
4 the Magistrate Judge on duty; and

5 2. The period from June 15, 2023, through August 25, 2023, shall be excluded.

6 IT IS SO ORDERED.

7 Dated: June 15, 2023

*/s/ Barbara A. McAuliffe*

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9 UNITED STATES MAGISTRATE JUDGE  
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